

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. Of: MIYACHI et al.

Filed: June 23, 2004

For: LITHIUM ION SECONDARY BATTERY

DOCKET: NEC DP-907

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-identified application, Applicants hereby attach U.S. Patent Office form PTO-1449, including copies of the prior art references listed therein. Most of these references were cited in the International Search Report dated April 30, 2003 of the corresponding PCT patent application, and one of these references was cited in the specification. Enclosed also is a copy of the International Search Report. Applicants are not submitting a copy of the U.S. Patent reference as the Office waived the requirement under 37 CFR 1.98(a)(2)(i) on July 11, 2003. The claims in the present application are believed to be patentably distinguished over these references.

This information disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR §1.56(A). No representation is made that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR §1.56(A) relies on a materiality concept which depends on subjectivity.

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In compliance with the requirements of 37 CFR §1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. §1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a copy of the Search Report by a foreign examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of the foreign examiner or the claims of the foreign application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted herewith.

We believe that there are no fees involved with this information disclosure statement. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,



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Attorney for Applicants
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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

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NEC DP-907

APPLICATION NO.

10/500165

APPLICANT(S)

MIYACHI et al.

DTAB Rec'd PCT/PTO 23 JUN 2004

FILING DATE

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GROUP ART UNIT

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|-------------------|--|-----------------|------------|------------------|-------|----------|----------------------------|
| | | 5,998,063 | 12/07/1999 | KOBAYASHI et al. | 429 | 218.1 | 05/01/1997 |
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FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|--|--|-----------------|------------|--------------------|-------|----------|-------------|----|
| | | | | | | | YES | NO |
| | | 2002-015729 | 18.01.2002 | JAPAN (w/Abstract) | H01M | 4/02 | | ✓ |
| | | 2001-283833 | 12.10.2001 | JAPAN (w/Abstract) | H01M | 4/02 | | ✓ |
| | | 11-288705 | 19.10.1999 | JAPAN (w/Abstract) | H01M | 4/02 | | ✓ |
| | | 07-235330 | 05.09.1995 | JAPAN (w/Abstract) | H01M | 10/40 | | ✓ |
| | | 2002-198036 | 12.07.2002 | JAPAN (w/Abstract) | H01M | 4/02 | | ✓ |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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| | | | | | | | YES | NO |
| | | 10-241684 | 11.09.1998 | JAPAN (w/Abstract) | H01M | 4/58 | | ✓ |
| | | 08-213053 | 20.08.1996 | JAPAN (w/Abstract) | H01M | 10/40 | | ✓ |
| | | 07-326342 | 12.12.1995 | JAPAN (w/Abstract) | H01M | 4/02 | | ✓ |
| | | 07-094169 | 07.04.1995 | JAPAN (w/Abstract) | H01M | 4/02 | | ✓ |
| | | 04-179050 | 25.06.1992 | JAPAN (w/Abstract) | H01M | 4/02 | | ✓ |

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

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| | | | | | | | YES | NO |
| | | 04-073862 | 09.03.1992 | JAPAN (w/Abstract) | H01M | 4/02 | | ✓ |
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OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

 Huggins, Robert A., "Lithium Alloy Negative Electrodes Formed from Convertible Oxides", Solid State Ionics, 113-115 (1998) pgs. 57-67.

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APPLICATION NO.

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FILING DATE

June 25, 2004
GROUP ART UNIT
U.S. PATENT DOCUMENTS

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